

McGREGOR W. SCOTT
United States Attorney
TIMOTHY H. DELGADO
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE ENCARNACION MAYO RODRIGUEZ,
SYLVIA ZAMBRANO,
YESENIA LOPEZ,
MARIA LUISA ESCAMILLA-LOPEZ,
JUAN CHAVARRIA,
JUAN RAMON LOPEZ,
NEREYDA ALVAREZ,
PHILLIP ALLEN BAILEY, and
CHARLES JAMES BILLINGSLEY, JR.,

Defendants.

CASE NO. 2:19-CR-0231-WBS

STIPULATION AND (~~PROPOSED~~) ORDER
TO CONTINUE STATUS CONFERENCE

Date: March 2, 2020
Time: 9:00 a.m.
Judge: Hon. William B. Shubb

Plaintiff United States of America, through its undersigned counsel, and defendants Jose Encarnacion Mayo Rodriguez, Sylvia Zambrano, Yesenia Lopez, Maria Luisa Escamilla-Lopez, Juan Chavarria, Juan Ramon Lopez, Nereyda Alvarez, Phillip Allen Bailey, and Charles James Billingsley, Jr., through their respective counsel of record, stipulate that the status conference currently set for March 2, 2020, be continued to May 4, 2020, at 9:00 a.m.

On December 19, 2019, all nine defendants were arraigned on the thirteen-count Indictment. (Dkt. Nos. 59, 61.) Since that time, the government has produced to all defense counsel initial discovery that includes approximately 1,265 pages of reports and memoranda. In the coming weeks, the government

anticipates producing additional discovery that will include hundreds of photos, and dozens of audio, video, and multimedia files from throughout this investigation. Defense counsel will require additional time to review these new materials, as well as the materials already produced; time to confer with their clients; time to conduct further research and investigation about the charged offenses; and time to otherwise prepare for trial. In addition, defense counsel require additional time to review the potential implications of the First Step Act and to discuss the matter with their clients.

Based on the foregoing, the parties stipulate that the status conference currently set for March 2, 2020, be continued to May 4, 2020, at 9:00 a.m. The parties further agree that time under the Speedy Trial Act should be excluded from the date the date of this filing to and including May 4, 2020, under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time to prepare] and General Order 479, Local Code T4, based on continuity of counsel and defense preparation.

Counsel and the defendants also agree that the ends of justice served by the Court granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial.

Respectfully submitted,

Dated: February 27, 2020

/s/ Timothy H. Delgado
TIMOTHY H. DELGADO
Assistant United States Attorney
Attorney for plaintiff United States

Dated: February 27, 2020

/s/ THD for Todd D. Leras
TODD D. LERAS
Law Office of Todd D. Leras
Attorney for defendant Jose Encarnacion
Mayo Rodriguez

Dated: February 27, 2020

/s/ THD for Christopher R. Cosca
CHRISTOPHER R. COSCA
Christopher R. Cosca, Attorney-at-Law
Attorney for defendant Sylvia Zambrano

Dated: February 27, 2020

/s/ THD for Brian Andritch
BRIAN ANDRITCH
Andritch & Aed, APC
Attorney for defendant Yesenia Lopez

1 Dated: February 27, 2020

/s/ THD for Dina Lee Santos

DINA LEE SANTOS
Law Offices of Dina L. Santos
*Attorney for defendant Maria Luisa Escamilla-
Lopez*

5 Dated: February 27, 2020

/s/ THD for Armando Villapudua

ARMANDO VILLAPUDUA
Law Offices of Armando Villapudua
Attorney for defendant Juan Chavarria

8 Dated: February 27, 2020

/s/ THD for David W. Dratman

DAVID W. DRATMAN
Attorney at Law
Attorney for defendant Jose Cruz Ivan Aispuro

11 Dated: February 27, 2020

/s/ THD for Phillip Cozens

PHILLIP COZENS
Phillip Cozens, Attorney-at-Law
Attorney for defendant Juan Ramon Lopez

14 Dated: February 27, 2020

/s/ THD for David M. Garland

DAVID M. GARLAND
Law Office of David Garland
Attorney for defendant Nereyda Alvarez

18 Dated: February 27, 2020

/s/ THD for Alin Cintean

ALIN CINTEAN
Law Offices of Alin Cintean
Attorney for defendant Phillip A. Bailey

21 Dated: February 27, 2020

/s/ THD for Johnny L. Griffin, III


JOHNNY L. GRIFFIN, III
Law Offices of Johnny L. Griffin, III
Attorney for defendant Charles J. Billingsley, Jr.

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its order. The Court specifically finds that the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and the Defendants in a speedy trial.

The Court orders that the time from the date the parties stipulated, to and including May 4, 2020, shall be excluded from computation of time within which the trial in this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare] and General Order 479 (Local Code T4). It is further ordered that the March 2, 2020 status hearing be continued until May 4, 2020, at 9:00 a.m.

Dated: February 27, 2020


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE